

Skykomish River Valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes;

S. 2587, to establish the Joint Federal and State Navigable Waters Commission for Alaska;

S. 2612, to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes;

S. 2652, to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes; and

S. Con. Res. 107, expressing the sense of Congress that Federal land management agencies should fully support the Western Governors Association "Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment", as signed August 2001, to reduce the overabundance of forest fuels that place national resources at high risk of catastrophic wildfire, and prepare a National Prescribed Fire Strategy that minimizes risks of escape.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Tuesday, July 30, 2002, at 9:30 a.m., for a hearing entitled "The Role of the Financial Institutions in Enron's Collapse."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. LINCOLN. Mr. President, I ask unanimous consent that privilege of the floor be granted to Michael Anzick and Elizabeth Pika, two fellows in my office, during debate on this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I ask unanimous consent to grant floor privileges to Dr. Louis Kazal, a health fellow from the office of Senator KENT CONRAD, for the duration of debate on S. 812 and related amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent that my aides, Christopher Rogers and Matt Hargraves, be granted the privilege of the floor for the duration of the debate on Judge D. Brooks Smith.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I have a few things to do here to close, a very few. Then the Senator from Utah wants to speak for 5 minutes, and the Senator from Florida will speak for 10.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the two Leaders, pursuant to provisions of S. Res. 98, agreed to July 25, 1997, the appointment of the Senator from Nevada [Mr. REID] to the Global Climate Change Observer Group, vice the Senator from Nebraska [Mr. Kerrey], retired.

The Chair, on behalf of the President pro tempore, pursuant to P.L. 103-227, reappoints Barbara Kairson, of New York, Representative of Labor, to the National Skill Standards Board, effective August 13, 2002.

ORDERS FOR WEDNESDAY, JULY 31, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. Wednesday, July 31; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of Calendar No. 491, S. 812, as provided for under the previous order; provided further that after the first vote on the motion to waive the Budget Act with respect to the Graham amendment, there be 2 minutes of debate before each succeeding vote, equally divided and controlled in the usual form; and each succeeding vote following the first in the sequence be 10 minutes in duration; that the mandatory quorum required under rule XXII be waived with respect to the cloture motion and the conference report accompanying H.R. 3009.

I have a parliamentary inquiry, Mr. President. Under this unanimous consent agreement, would the debate time prior to the vote on judicial nomination of Brooks Smith be 2 minutes equally divided?

The PRESIDING OFFICER. Yes. The Senator is correct in assuming that.

Mr. REID. I ask unanimous consent that be modified to give Senator LEAHY 2½ minutes and Senator HATCH 2½ minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent we stand in adjournment under the previous order, following the remarks of the Senator from Utah, for 6 minutes, and the Senator from Florida, for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah is recognized.

JUDICIAL NOMINATIONS

Mr. HATCH. Mr. President, I do have to make a few remarks since my col-

league from New York made some very cogent, very important remarks this evening.

I happen to have a lot of respect for my colleague from New York, and he has the guts to really stand up and say that one of the reasons he is voting against some of these judges is the question of ideology. I think he is dead wrong on that, but the fact is, I respect him for at least being upfront and stating what he believes.

He has also said we need to have balance on the courts. I am not so sure that is a bad concept, but I believe whoever is President, we have to have that President's choice of judges. That is one thing we do when we elect a President. Unless you can find some really valid reason for voting against these judges, that I think has to be more than ideology—at least that is my view—then you should vote for those judges, which is a practice I have followed throughout the Clinton administration and throughout the Carter administration, as a matter of fact. I think it is the correct practice.

I still respect my colleague for his beliefs, for his forthright statements.

I want to correct the record on a few things. No. 1, with regard to balance, there is a lack of balance in many circuit courts of appeals today one way or the other. In the Ninth Circuit Court of Appeals, 17 of the 23 judges are Democrats; 14 were appointed by none other than President William Jefferson Clinton.

In the Second Circuit Court of Appeals, the majority of them are Democrats.

These are two very important circuit courts. In the Circuit Court of Appeals for the District of Columbia, it could very easily have been that way.

It comes down to whoever is President. That is one of the things we do when we choose a President: We choose the person who is going to pick the judges for the next 4 years. And I believe, unless you have a legitimate reason—and it has to be a very legitimate reason for opposing those judges—you need to vote for them.

I heard the distinguished Senator from Vermont tonight say Judge Smith rules too much for corporations. Give me a break. He has been on the bench 14 years. He has ruled for everybody during those 14 years. And, by the way, occasionally corporations are right. And if they are right, as judges in this country they ought to rule in their favor if it is a nonjury trial. They ought to be fair in their instructions if it is a jury trial and in the conduct of the trial if it is a jury trial. Brooks Smith has had that type of reputation.

With regard to another comment of my friend from New York, he continues to repeat a myth that arose out of the Clarence Thomas proceedings. I happened to be there during those Clarence Thomas proceedings, and that myth is that he said he never discussed *Roe v. Wade*. That is not what he said. He was